

DAN RAYFIELD
 Attorney General
 CARLA A. SCOTT #054725
 SHEILA H. POTTER #993485
 CRAIG M. JOHNSON #080902
 Senior Assistant Attorneys General
 JILL CONBERE #193430
 Assistant Attorney General
 Department of Justice
 100 SW Market Street
 Portland, OR 97201
 Telephone: (971) 673-1880
 Fax: (971) 673-5000
 Email: Carla.A.Scott@doj.oregon.gov
 Sheila.Potter@doj.oregon.gov
 Craig.M.Johnson@doj.oregon.gov
 Jill.Conbere@doj.oregon.gov

Attorneys for Defendants Patrick Allen, Sejal Hathi, Dolores Matteucci, and James Diegel

**IN THE UNITED STATES DISTRICT COURT
 FOR THE DISTRICT OF OREGON
 PORTLAND DIVISION**

**DISABILITY RIGHTS OREGON,
 METROPOLITAN PUBLIC DEFENDER
 SERVICES, INC., and A.J. MADISON,**

Plaintiffs,

v.

SEJAL HATHI, in her official capacity as head of the Oregon Health Authority, and **JAMES DIEGEL** in his official capacity as Interim Superintendent of the Oregon State Hospital,

Defendants.

JAROD BOWMAN, JOSHAWN DOUGLAS-SIMPSON,

Plaintiffs,

v.

JAMES DIEGEL, Interim Superintendent of the Oregon State Hospital, in his official

Case No. 3:02-cv-00339-AN (Lead Case)
 Case No. 3:21-cv-01637-AN (Member Case)
 Case No. 6:22-CV-01460-AN (Member Case)

**DEFENDANTS' RE-SUBMITTED SECOND
 FINE CALCULATION REPORT**

Case No. 3:21-cv-01637-AN (Member Case)

capacity, DOLORES MATTEUCCI, in her individual capacity, SEJAL HATHI, Director of the Oregon Health Authority, in her official capacity, and PATRICK ALLEN in his individual capacity,

Defendants.

LEGACY EMANUEL HOSPITAL & HEALTH CENTER d/b/a UNITY CENTER FOR BEHAVIORAL HEALTH; LEGACY HEALTH SYSTEM; PEACEHEALTH; and PROVIDENCE HEALTH & SERVICES OREGON,

Plaintiffs,

v.

SEJAL HATHI, in her official capacity as Director of Oregon Health Authority,

Defendant.

Case No. 6:22-CV-01460-AN (Member Case)

Pursuant to the Opinion and Order issued by this Court on August 6, 2025, Defendants re-submit their second report calculating contempt fines accrued for the period of June 16, 2025, through July 14, 2025. In accordance with that Order, Defendants have recalculated the fines accrued to include all days for which persons ordered committed to the Oregon State Hospital pursuant to ORS 161.370 waited longer than seven days for admission, including any days that resulted from delays outside of Defendants' control.

To maintain clarity and completion in the record, this re-submission includes the same relevant dashboard data that was provided with Defendants' original second fine calculation report, attached as Exhibit 1. And in compliance with the re-calculation required by this Court's August 6 Order, a new calculation of fines is attached as Exhibit 2. As shown in that calculation, the total fine amount for the period of June 16, 2025, through July 14, 2025, is \$120,500.

DATED August 7, 2025.

Respectfully submitted,

DAN RAYFIELD
Attorney General

s/ Jill L. Conbere
CARLA A. SCOTT #054725
CRAIG M. JOHNSON #080902
SHEILA H. POTTER #993485
Senior Assistant Attorneys General
JILL CONBERE # 193430
Assistant Attorney General
Trial Attorneys
Tel (971) 673-1880
Fax (971) 673-5000
Carla.A.Scott@doj.oregon.gov
Sheila.Potter@doj.oregon.gov
Craig.M.Johnson@doj.oregon.gov
Jill.Conbere@doj.oregon.gov
Of Attorneys for Defendants

OSH Forensic Admission and Discharge Bi-Weekly Report**June 30-July 13, 2025****Aid & Assist**

County	Admission List (as of July 14)				Patients Admitted During the Two Weeks				No Longer Needing HLOC (as of July 14)							Patients Discharged for Community Restoration								
	Count	Avg Days	Low	High	Count	Avg Days	Low	High	Count	Recommended LOCUS						Count	Recommended LOCUS							
										1	2	3	4	5	6	Avg Days	1	2	3	4	5	6	Avg Days	
Baker																								
Benton					2	8.0	7	9	2			1	1			43.5	1			1				42.0
Clackamas	1	7.0	7	7	2	8.5	8	9	8			1	7			50.4								
Clatsop					2	7.0	7	7																
Columbia					2	8.0	5	11	1				1			27.0								
Coos	2	11.0	11	11					1			1				21.0								
Crook																								
Curry					1	14.0	14	14																
Deschutes					1	14.0	14	14																
Douglas	1	6.0	6	6	3	10.0	7	12	6			2	4			55.0								
Gilliam																								
Grant																								
Harney																								
Hood River	1	4.0	4	4																				
Jackson	3	9.7	5	12					3			2	1			54.3								
Jefferson																								
Josephine	1	7.0	7	7	1	14.0	14	14	2				2			40.0								
Klamath	1	4.0	4	4	2	9.5	7	12	2			1	1			86.0								
Lake									8			3	5			67.4								
Lane	3	9.0	3	12	5	11.0	7	13									3	1	2					84.0
Lincoln	1	5.0	5	5	2	9.5	7	12																
Linn									1			1				56.0								
Malheur	1	3.0	3	3					1			1				63.0								
Marion	2	4.0	4	4	4	8.3	2	13	5			1	2	1	1	45.0	1							21.0
Morrow																								
Multnomah	2	6.0	6	6	15	8.9	6	13	13			7	3	3		36.4	1							54.0
Polk									2			2				49.5								
Sherman																								
Tillamook									1			1				14.0								
Umatilla					2	10.0	10	10	1			1				34.0								
Union																								
Wallowa																								
Wasco																								
Washington	3	6.0	6	6	6	8.3	7	10	7			4	3			41.9								
Wheeler									2			1	1			43.0								
Yamhill																								
Total	22	6.9	3	12	50	9.3	2	14	66	0	0	3	26	33	4	48.0	6	0	1	0	3	2	0	61.5

PSRB / GEI

County	Admission List (as of July 14)				Patients Admitted During the Two Weeks				Patients Conditionally Released to PSRB							
	Count	Avg Days	Low	High	Count	Avg Days	Low	High	Count	SRTF	RTF	AFH	DOC	Ind.	Other	Avg Days
Baker																
Benton																
Clackamas										2	1	1				125.0
Clatsop																
Columbia																
Coos																
Crook																
Curry																
Deschutes																
Douglas						1	10.0	10	10							
Gilliam																
Grant																
Harney																
Hood River																
Jackson																
Jefferson																
Josephine																
Klamath																
Lake																
Lane						1	0.0	0	0							
Lincoln																
Linn																
Malheur																
Marion																
Morrow																
Multnomah	1	11.0	11	11		2	10.0	9	11							
Polk																
Sherman																
Tillamook																
Umatilla																
Union																
Wallowa																
Wasco						1	29.0	29	29							
Washington																
Wheeler																
Yamhill																
Total	1	11.0	11	11		5	11.8	0	29	2	1	1	0	0	0	125.0

*Data related to PSRB / GEI patients who no longer need hospital level of care are not listed until they discharge since the county and level of care is not known until placement.

Definition Guide

Aid & Assist – Includes patients under an ORS 161.370 court order needing competency restoration.

PSRB / GEI – Includes patients under a GEI court order (ORS 161.327 and ORS 161.336) or a PSRB court order (ORS 419C.530, ORS 426.220, ORS 426.701, and ORS 426.702).

Currently on the Admission List – Includes patients awaiting admission to OSH for whom OSH has received the court order.

Avg Days – The average days a patient currently on the admission list has been waiting for admission to OSH, measured from the date the court order was signed.

Admitted During the Month – Includes patients who were admitted to OSH during the month.

Avg Days – The average days a patient admitted to OSH had been waiting for admission, measured from the date the court order was signed.

No Longer Needs Hospital Level of Care – Includes patients who have been assessed to no longer need Hospital Level of Care (HLOC) and are ready to be discharged from OSH. Aid & Assist patients are added to the Ready to Place (RTP) list and PSRB/GEI patients are added to the Conditional Release Ready (CRR) list.

Avg Days – The average days a patient assessed to no longer need HLOC has been waiting for discharge, measured from the date the assessment was made.

Discharged After Having Been Assessed to No Longer Need Hospital Level of Care – Includes patients who had been assessed to no longer need HLOC and were discharged from OSH during the month. For Aid & Assist patients, only those discharged to community restoration are included.

Avg Days – The average days a patient discharged from OSH had been waiting for discharge, measured from the date the assessment was made.

LOCUS Score – The Level of Care Utilization System (LOCUS) is a dynamic instrument that is used to determine and recommend a continuum of service needs, e.g. the environment of care, hours of contact and types of services.

1 – Independent Living - Patients who are living either independently or with minimal support in the community and who have achieved significant recovery from past episodes of illness.

2 – Independent Living - Patients who need ongoing treatment, but who are living either independently or with minimal support in the community.

3 – Independent Living – Patients who need intensive support and treatment, but who are living either independently or with minimal support in the community.

4 – Supportive/Supported Housing and ACT Services - Patients can live in the community either in supportive or independent settings, but treatment needs require intensive management by a multi-disciplinary treatment team.

5 – RTF/RTH - This level of care has traditionally been provided in non-hospital; free standing residential facilities based in the community.

6 – Class 1 SRTF or Psychiatric Hospital - Traditionally provided in a hospital setting, but could, in some cases, be provided in a free-standing non-hospital setting.

Level of Care Needed – All levels of supervision under the PSRB are assessed not just by clinical stability but also by dangerousness. The PSRB mission is community and public safety therefore the driver for placement is safety to the community.

SRTF – Patients who need placement in a locked Secure Residential Treatment Facility (SRTF) that provides support for daily living, medication monitoring, and crisis intervention.

RTF – Patients who need placement in an unlocked Residential Treatment Facility (RTF) that provides support for daily living, medication monitoring, and crisis intervention.

AFH – Patients with specific needs who require Adult Foster Home (AFH) placements that provide support for training or assistance with personal care and activities of daily living, supervision of medications and/or behavior, crisis prevention, and management of diet and health care.

DOC – Patients that have been dually sentenced to both PSRB and DOC at the same time and are ready to be released to DOC care.

Ind. – Patients who may still require treatment but who are appropriate for either an independent living (Ind.) arrangement or with minimal support in the community.

Other – Patients who have a more uncommon level of need not identified in the other categories.

Patient	Admit Date	County of Commitment	Court Type	Highest Charge Classification	Order Signed	Order Received	Signed-Adm	Days >7	Fine
1	06/16/2025	Deschutes	Circuit Court	Felony C	06/08/25	06/09/25	8	1	\$500
2	06/16/2025	Marion	Circuit Court	Misdemeanor A	06/09/25	06/09/25	7	0	\$0
3	06/16/2025	Linn	Circuit Court	Felony A	06/09/25	06/10/25	7	0	\$0
4	06/16/2025	Jackson	Circuit Court	Felony C	06/04/25	06/04/25	12	5	\$2,500
5	06/16/2025	Linn	Circuit Court	Felony C	06/06/25	06/06/25	10	3	\$1,500
6	06/16/2025	Marion	Circuit Court	Felony C	06/09/25	06/09/25	7	0	\$0
7	06/16/2025	Marion	Circuit Court	Felony A	06/06/25	06/09/25	10	3	\$1,500
8	06/17/2025	Lane	Circuit Court	Felony C	06/05/25	06/05/25	12	5	\$2,500
9	06/17/2025	Multnomah	Circuit Court	Misdemeanor A	06/09/25	06/11/25	8	1	\$500
10	06/17/2025	Lane	Circuit Court	Misdemeanor A	06/06/25	06/06/25	11	4	\$2,000
11	06/17/2025	Wasco	Circuit Court	Felony C	06/05/25	06/05/25	12	5	\$2,500
12	06/17/2025	Washington	Circuit Court	Misdemeanor A	06/09/25	06/09/25	8	1	\$500
13	06/17/2025	Lane	Circuit Court	Misdemeanor A	06/06/25	06/06/25	11	4	\$2,000
14	06/18/2025	Lane	Circuit Court	Felony C	06/11/25	06/11/25	7	0	\$0
15	06/18/2025	Lane	Municipal Court	Misdemeanor A	06/11/25	06/11/25	7	0	\$0
16	06/18/2025	Multnomah	Circuit Court	Misdemeanor-U (Unclassified)	06/10/25	06/11/25	8	1	\$500
17	06/18/2025	Lane	Municipal Court	Misdemeanor A	06/10/25	06/10/25	8	1	\$500
18	06/18/2025	Lane	Circuit Court	Felony C	06/11/25	06/11/25	7	0	\$0
19	06/18/2025	Multnomah	Circuit Court	Misdemeanor-U (Unclassified)	06/10/25	06/11/25	8	1	\$500
20	06/18/2025	Multnomah	Circuit Court	Felony A	06/10/25	06/10/25	8	1	\$500
21	06/20/2025	Linn	Circuit Court	Felony C	06/11/25	06/11/25	9	2	\$1,000
22	06/20/2025	Jackson	Circuit Court	Felony C	06/11/25	06/11/25	9	2	\$1,000
23	06/20/2025	Washington	Circuit Court	Felony C	06/10/25	06/10/25	10	3	\$1,500
24	06/20/2025	Washington	Circuit Court	Misdemeanor A	06/10/25	06/10/25	10	3	\$1,500
25	06/20/2025	Jackson	Circuit Court	Felony C	06/11/25	06/11/25	9	2	\$1,000
26	06/20/2025	Washington	Circuit Court	Felony C	06/10/25	06/10/25	10	3	\$1,500
27	06/23/2025	Deschutes	Circuit Court	Misdemeanor A	06/13/25	06/13/25	10	3	\$1,500
28	06/23/2025	Wasco	Circuit Court	Felony C	06/12/25	06/12/25	11	4	\$2,000
29	06/23/2025	Linn	Circuit Court	Misdemeanor A	06/13/25	06/13/25	10	3	\$1,500
30	06/23/2025	Josephine	Circuit Court	Felony B	06/13/25	06/13/25	10	3	\$1,500
31	06/23/2025	Marion	Circuit Court	Felony C	06/12/25	06/12/25	11	4	\$2,000
32	06/24/2025	Lane	Circuit Court	Felony C	06/16/25	06/16/25	8	1	\$500
33	06/24/2025	Coos	Circuit Court	Felony C	06/16/25	06/16/25	8	1	\$500
34	06/24/2025	Lane	Circuit Court	Felony C	06/16/25	06/16/25	8	1	\$500
35	06/24/2025	Marion	Circuit Court	Misdemeanor A	06/16/25	06/17/25	8	1	\$500
36	06/24/2025	Marion	Circuit Court	Felony C	06/13/25	06/13/25	11	4	\$2,000
37	06/25/2025	Washington	Circuit Court	Felony B	06/16/25	06/17/25	9	2	\$1,000
38	06/25/2025	Lincoln	Circuit Court	Misdemeanor A	06/16/25	06/17/25	9	2	\$1,000
39	06/25/2025	Clackamas	Circuit Court	Felony C	06/16/25	06/16/25	9	2	\$1,000
40	06/25/2025	Clackamas	Circuit Court	Felony C	06/16/25	06/16/25	9	2	\$1,000
41	06/25/2025	Clackamas	Circuit Court	Felony C	06/16/25	06/16/25	9	2	\$1,000
42	06/26/2025	Baker	Circuit Court	Felony C	06/17/25	06/18/25	9	2	\$1,000
43	06/26/2025	Multnomah	Circuit Court	Felony C	06/17/25	06/18/25	9	2	\$1,000
44	06/26/2025	Josephine	Circuit Court	Felony B	06/17/25	06/17/25	9	2	\$1,000
45	06/26/2025	Multnomah	Circuit Court	Felony-U (Unclassified)	06/17/25	06/18/25	9	2	\$1,000

46	06/26/2025	Multnomah	Circuit Court	Misdemeanor A	06/17/25	06/18/25	9	2	\$1,000
47	06/26/2025	Multnomah	Circuit Court	Felony C	06/17/25	06/18/25	9	2	\$1,000
48	06/27/2025	Multnomah	Circuit Court	Misdemeanor A	06/17/25	06/18/25	10	3	\$1,500
49	06/27/2025	Josephine	Circuit Court	Misdemeanor A	06/18/25	06/23/25	9	2	\$1,000
50	06/27/2025	Marion	Circuit Court	Misdemeanor A	06/18/25	06/18/25	9	2	\$1,000
51	06/27/2025	Douglas	Circuit Court	Misdemeanor A	06/17/25	06/17/25	10	3	\$1,500
52	06/27/2025	Marion	Circuit Court	Felony A	06/18/25	06/20/25	9	2	\$1,000
53	06/30/2025	Umatilla	Circuit Court	Felony C	06/20/25	06/23/25	10	3	\$1,500
54	06/30/2025	Umatilla	Circuit Court	Felony C	06/20/25	06/23/25	10	3	\$1,500
55	06/30/2025	Lincoln	Circuit Court	Felony C	06/23/25	06/23/25	7	0	\$0
56	06/30/2025	Clatsop	Circuit Court	Felony C	06/23/25	06/24/25	7	0	\$0
57	06/30/2025	Klamath	Circuit Court	Misdemeanor A	06/18/25	06/24/25	12	5	\$2,500
58	06/30/2025	Clatsop	Circuit Court	Felony C	06/23/25	06/24/25	7	0	\$0
59	06/30/2025	Benton	Circuit Court	Misdemeanor A	06/23/25	06/24/25	7	0	\$0
60	07/01/2025	Washington	Circuit Court	Felony C	06/23/25	06/24/25	8	1	\$500
61	07/01/2025	Douglas	Circuit Court	Felony C	06/19/25	06/20/25	12	5	\$2,500
62	07/01/2025	Douglas	Circuit Court	Felony C	06/20/25	06/20/25	11	4	\$2,000
63	07/01/2025	Washington	Circuit Court	Felony C	06/23/25	06/24/25	8	1	\$500
64	07/01/2025	Lane	Circuit Court	Felony B	06/18/25	06/18/25	13	6	\$3,000
65	07/01/2025	Lane	Circuit Court	Misdemeanor A	06/18/25	06/18/25	13	6	\$3,000
66	07/02/2025	Marion	Circuit Court	Felony B	06/23/25	06/23/25	9	2	\$1,000
67	07/02/2025	Lane	Municipal Court	Misdemeanor A	06/25/25	06/25/25	7	0	\$0
68	07/02/2025	Multnomah	Circuit Court	Felony C	06/24/25	06/24/25	8	1	\$500
69	07/02/2025	Multnomah	Circuit Court	Felony A	06/24/25	06/25/25	8	1	\$500
70	07/02/2025	Multnomah	Circuit Court	Felony A	06/24/25	06/24/25	8	1	\$500
71	07/03/2025	Washington	Circuit Court	Misdemeanor A	06/24/25	06/25/25	9	2	\$1,000
72	07/03/2025	Multnomah	Circuit Court	Misdemeanor A	06/24/25	06/25/25	9	2	\$1,000
73	07/03/2025	Multnomah	Circuit Court	Felony A	06/24/25	06/25/25	9	2	\$1,000
74	07/03/2025	Clackamas	Circuit Court	Felony C	06/24/25	06/24/25	9	2	\$1,000
75	07/03/2025	Marion	Circuit Court	Misdemeanor A	07/01/25	07/01/25	2	0	\$0
76	07/07/2025	Multnomah	Circuit Court	Misdemeanor A	06/24/25	06/25/25	13	6	\$3,000
77	07/07/2025	Lane	Municipal Court	Misdemeanor A	06/25/25	06/25/25	12	5	\$2,500
78	07/07/2025	Multnomah	Circuit Court	Misdemeanor B	07/01/25	07/02/25	6	0	\$0
79	07/07/2025	Columbia	Circuit Court	Felony A	06/26/25	06/26/25	11	4	\$2,000
80	07/08/2025	Columbia	Circuit Court	Felony C	07/03/25	07/03/25	5	0	\$0
81	07/08/2025	Multnomah	Circuit Court	Felony A	06/25/25	06/26/25	13	6	\$3,000
82	07/08/2025	Klamath	Circuit Court	Felony C	07/01/25	07/02/25	7	0	\$0
83	07/08/2025	Multnomah	Circuit Court	Misdemeanor A	07/01/25	07/02/25	7	0	\$0
84	07/08/2025	Marion	Circuit Court	Felony C	06/25/25	06/25/25	13	6	\$3,000
85	07/08/2025	Lincoln	Circuit Court	Felony C	06/26/25	06/27/25	12	5	\$2,500
86	07/08/2025	Multnomah	Circuit Court	Felony C	07/01/25	07/02/25	7	0	\$0
87	07/09/2025	Multnomah	Circuit Court	Felony C	07/01/25	07/02/25	8	1	\$500
88	07/09/2025	Curry	Circuit Court	Misdemeanor B	06/25/25	06/25/25	14	7	\$3,500
89	07/09/2025	Washington	Circuit Court	Misdemeanor A	07/02/25	07/02/25	7	0	\$0
90	07/09/2025	Douglas	Circuit Court	Felony C	07/02/25	07/02/25	7	0	\$0
91	07/10/2025	Washington	Circuit Court	Felony C	06/30/25	07/01/25	10	3	\$1,500

92	07/10/2025	Josephine	Circuit Court	Misdemeanor A	06/26/25	06/27/25	14	7	\$3,500
93	07/10/2025	Clackamas	Circuit Court	Felony B	07/02/25	07/07/25	8	1	\$500
94	07/10/2025	Multnomah	Circuit Court	Felony A	07/01/25	07/02/25	9	2	\$1,000
95	07/10/2025	Multnomah	Circuit Court	Felony A	07/01/25	07/02/25	9	2	\$1,000
96	07/10/2025	Deschutes	Circuit Court	Felony B	06/26/25	06/26/25	14	7	\$3,500
97	07/11/2025	Benton	Circuit Court	Felony A	07/02/25	07/08/25	9	2	\$1,000
98	07/11/2025	Lane	Municipal Court	Misdemeanor A	07/01/25	07/01/25	10	3	\$1,500
99	07/11/2025	Marion	Circuit Court	Felony C	07/02/25	07/02/25	9	2	\$1,000
100	07/11/2025	Multnomah	Circuit Court	Felony A	07/01/25	07/02/25	10	3	\$1,500
101	07/11/2025	Washington	Circuit Court	Felony B	07/03/25	07/03/25	8	1	\$500
102	07/11/2025	Multnomah	Circuit Court	Felony A	07/01/25	07/02/25	10	3	\$1,500
103	07/14/2025	Coos	Circuit Court	Felony C	07/03/25	07/07/25	11	4	\$2,000
104	07/14/2025	Coos	Circuit Court	Felony B	07/03/25	07/07/25	11	4	\$2,000
								241	\$120,500